

2009SP-026-001

Stones River Senior Living Community
Map: 175-00 Parcels: 154, 166
Map: 176-00 Parcels: 035, 051
Antioch/Priest Lake Community Plan
Council District 32 – Sam Coleman
Staff Reviewer: Greg Johnson

A request to rezone from SP-MU to SP-R properties located at 4222 Mufreesboro Pike, Murfreesboro Pike (unnumbered) and LaVergne Couchville Pike (unnumbered), at the southeast corner of LaVergne Couchville Pike and Murfreesboro Pike (13.09 acres), zoned SP, to permit a 77,000 square foot 124-bed skilled nursing facility and a 79,400 square foot 104-bed assisted-living facility, requested by Littlejohn Engineering Associates, Inc., applicant, for Harold and Hermena Holigan, owners.

Staff Recommendation: Disapprove**APPLICANT REQUEST - Preliminary SP**

SP rezoning to allow nursing and assisted-living facilities.

A request to rezone from Specific Plan-Mixed Use (SP-MU) to Specific Plan-Residential (SP-R) properties located at 4222 Mufreesboro Pike, Murfreesboro Pike (unnumbered) and LaVergne Couchville Pike (unnumbered), at the southeast corner of LaVergne Couchville Pike and Murfreesboro Pike (13.09 acres), to permit a 77,000 square foot 124-bed skilled nursing facility and a 79,400 square foot 104-bed assisted-living facility.

CRITICAL PLANNING GOALS

- Creates Walkable Neighborhoods

The proposed plan will replace a significant portion of the Hickory Woods SP, and will conflict with the remaining portions of the Hickory Woods SP. The adopted SP provides a well-designed gateway into Davidson County from the City of LaVergne through mixed-use development with distinctive standards for building placement and design. These standards create an integrated community and improve walkability by separating vehicular and pedestrian traffic and requiring placement of front building facades along sidewalks.

The design of the proposed medical campus conflicts with several Critical Planning Goals. The auto-focused layout of the campus with a perimeter driveway and parking area separates this development from the remainder of the center. Deep building setbacks from surrounding streets, placement of driveways within front setbacks, and placement of stormwater detention facilities along streets diminish the quality of the pedestrian realm and will limit the continuity of future surrounding development. This insular and inefficient layout will provide little opportunity for interaction with the public realm.

The application undermines the fundamental goals of the Hickory Woods SP and will result in the continuation of isolated and separate strip development at a critical gateway to Davidson County.

ANTIOCH / PRIEST LAKE COMMUNITY PLAN

Community/Corridor Center (CC) CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

Consistent with Policy? No. The proposed SP does not comply with the design principles of the CC policy and is inconsistent with the current zoning, which does implement the CC policies.

Project Description This proposal was originally submitted as an amendment to the Hickory Woods SP (2006SP-166-001). Working with Planning staff, the applicant submitted a revised application to create a

new SP in order to avoid unanticipated complications with the standards of the existing Hickory Woods SP.

The proposed Stones River SP is located in the middle of the Hickory Woods SP, which was approved in 2006 to create an integrated mixed-use community and provide context-sensitive standards to follow the design principles and land-use provisions of the CC policy. The Hickory Woods SP addresses CC policy through requirements for shallow street setbacks, limitations on building heights, standards for building design and requirements for mixed-use development. This proposed SP would replace the standards of the Hickory Woods SP for a significant piece of the SP area to allow skilled nursing and assisted living facilities in an isolated campus-style layout, independent from the surrounding Hickory Woods SP. Because of its location, the Stones River SP will sever the continuity of intended development within the Hickory Woods SP and will eliminate the compatibility of the Hickory Woods SP with the design principles of the CC policy.

The proposed development will occupy the portion of the Hickory Woods SP on the north side of Murfreesboro Pike, bordered by Lavergne-Couchville Pike on the west and Hickory Woods Drive on the east. The fundamental feature of the proposed layout is a perimeter driveway that surrounds the development and connects it to three proposed vehicular entrances, one along each bordering street, while also separating development from these bordering streets. Parking is provided along this driveway and along a north-south driveway that bisects the site, separating the nursing and assisted living facilities. This perimeter driveway would replace a main street, proposed by the Hickory Woods SP, which would have run parallel to Murfreesboro Pike, connecting all development within the SP on the north side of Murfreesboro Pike and providing a defined boundary between mixed-use/commercial and residential development.

The proposed nursing facility is a one-story structure with an entrance facing Murfreesboro Pike and separated from this street by a 75 foot wide perimeter driveway. The assisted living facility is three stories in height and will be set back from Murfreesboro Pike approximately 160 feet. It is separated from Murfreesboro Pike by the perimeter driveway, an “amenity garden,” and a stormwater detention pond to be placed in the southeast corner of the project site. These proposed setbacks are significantly larger than currently allowed by the Hickory Woods SP and reduce the project’s compatibility with the “main street” pedestrian-oriented intent of the CC design principles.

The proposal does not meet the design principles and reduces the likelihood of achieving the intended mixture of uses of the CC policy or meeting the intent of the Hickory Woods SP.

Policy Analysis The design principles of the CC policy promote shallow or non-existent building setbacks, off-street parking placed to the side or rear of buildings, development within a “main street” layout, mixed-use development, and strong engagement of public realm. The campus-style layout of the proposed development does not meet these guidelines with its deep building setbacks separated from surrounding streets by driveways, parking areas, and stormwater detention facilities. The CC policy does allow the proposed nursing and assisted-living uses, but encourages this type of public benefit use to contribute to surrounding mixed-use context in a walkable main street format.

SP Analysis The development area is located within portions of two subdistricts of the Hickory Woods SP. As noted above, the Hickory Woods SP was approved in 2006 to provide standards to follow the design principles of the CC policy.

Subdistrict 1 runs along both sides of Murfreesboro Pike and allows mixed-use/commercial and residential uses in a format that follows the “main street” character intended by the CC policy, by promoting well-designed mixed-use development that is placed along a continuous pedestrian network. This subdistrict requires shallow street setbacks of 10-20 feet for commercial and mixed-use buildings. Street setbacks can go as deep as 20-25 feet for some residential buildings. These required setbacks are significantly shallower than those in the proposed development. Subdistrict 2 covers the remainder of the site behind Subdistrict 1 and is intended to allow only residential development in the form of stacked flat, townhouse, and cottage buildings. This residential development helps to provide a transition from Murfreesboro Pike to the single-family residential neighborhood to the north.

The Hickory Woods SP includes square footage limits on development within Subdistrict 1 in order to ensure mixed-use development along Murfreesboro Pike, in accordance with the intent of the CC policy, and to prevent the proliferation of a single use within the Hickory Woods SP. Mixed-use/commercial development is limited to less than 10,000 total square feet until other building types, such as live/work and residential types are included into Subdistrict 1. Additionally, total commercial/retail development within Subdistrict 1 is required to remain under 200,000 square feet. Together, these standards are intended to prevent large single-use commercial projects from dominating development within the Hickory Woods SP, especially during the initial stages of development. The proposed development, which includes 156,400 square feet of a single building type along Murfreesboro Pike without providing other building types or uses, is the type of single-use project that the SP standards are intended to prevent.

Because the proposed development does not fit into the existing Hickory Woods SP subdistricts, the applicant proposes a new SP with new setback and development standards. The proposed SP would allow minimum street setbacks of 20 feet along all public streets and property lines. All buildings would have a maximum height of 3 stories and a maximum development area of 225,000 square feet. 156,400 square feet of development is currently proposed on the proposed site plan. Architectural standards regulating building materials, structural dimensions, roof materials and pitches, and window and door openings are included in the proposed SP.

Even though new standards are proposed within the Stones River SP to prevent implementation conflicts with the Hickory Woods SP, the proposal fundamentally undermines the intent of both the existing land-use policy, which emphasizes pedestrian-oriented “main streets,” and the existing SP zoning, which requires shallow building setbacks along streets and discourages large-scale single-use development. The SP zoning was specifically tailored to implement the land-use and design provisions of the community plan.

PUBLIC WORKS RECOMMENDATION

1. All Public Works' design standards shall be met prior to any final approvals and permit issuance. Any approval is subject to Public Works' approval of the construction plans.
2. Along Murfreesboro Pike, label and show reserve strip for future right of way, 54 feet from centerline to property boundary, consistent with the approved major street plan (U6 - 108' ROW).
3. Along Murfreesboro Pike, construct sidewalks with curb & gutter, a six (6') foot furnishing zone and eight (8') foot sidewalk, consistent with the Strategic Plan for Sidewalks & Bikeways. Locate sidewalks within the public right of way / dedicate right of way, as applicable.
4. Tennessee Department of Transportation approval is required for any modifications and work within the Murfreesboro Pike right of way.
5. In accordance with the recommendations of the traffic impact study, the following improvements are required:
 - Access on Hickory Woods Drive and Lavergne Couchville Pike should have 1 exiting and 1 entering lane with appropriate sight distance and departure sight triangles per AASHTO standards.
 - Hickory Woods Drive should be striped with a two way left turn lane (TWLTL) from the proposed driveway to Murfreesboro Pike. Provide a dedicated WB left turn lane with 125 ft of storage at Murfreesboro Pike.
 - Modify the existing traffic signal at Lavergne Couchville Pike and Murfreesboro Pike to provide pedestrian accommodations including push buttons, crosswalks, and signal heads.

Maximum Uses in Existing Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Various	13.09	Various	Various	-	-	-

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Nursing Home (620)	13.09	-	124 Bed	292	22	28

Maximum Uses in Proposed Zoning District: **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Assisted Living 254)	13.09	-	104 Bed	291	15	23

Traffic changes between maximum: **SP-MU** and proposed **SP-MU**

Land Use (ITE Code)	Acres	FAR/Density	Total Floor Area/Lots/Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
-	13.09	-	-	-	-	-

STAFF RECOMMENDATION Staff recommends disapproval of the zone change request. The proposed SP falls short of the design intent of the CC policy and fundamentally undermines the goals and purpose of the adopted Hickory Woods SP.

CONDITIONS

1. With approval of this SP, Planning staff shall initiate both the repeal of the remainder of Hickory Woods SP and an examination of land-use policy within the existing CC policy area within and surrounding the Hickory Woods SP.

Mr. Johnson presented and stated that staff is recommending disapproval.

Mr. Jeff Heinze, 1935 21st Avenue South, spoke in favor of the proposed development.

Mr. Tom White, 315 Deadrick Street, spoke in favor of the proposed development.

Ms. Sidney Ames, 4100 Maxwell Road, spoke in favor of the proposed development. She submitted information to the Commission for the record.

Ms. Donna Cantrall, 4126 Maxwell Road, spoke in favor of the proposed development.

Councilmember Coleman spoke in favor of the proposed development and requested its approval.

Mr. Gotto spoke on the policy issue and questioned whether the staff's recommendation would change if the community and neighborhood groups went through all the necessary processes to change the Subarea plan policy from CC to another zoning that would accommodate the requested development.

Mr. Bernhardt briefly explained the issues associated with the proposed development and the overall affects the requested rezoning would have on the entire Hickory Woods SP. He further explained that if the Commission were inclined to approve the requested rezoning, that they remove the entire SP intended for

this area, as the zoning contained in the SP may impede any future rezoning requests for this area.

Mr. Gotto explained he was in favor of supporting this development although he would not support the removal of the entire Hickory Woods SP zoning until the Councilmember had the opportunity to discuss it further with his community.

Mr. Clifton expressed concerns with approving the proposed development as it was not consistent with the Subarea plan. He spoke on the importance of sustainability and the Commission's role in its implementation.

Mr. Ponder requested additional clarification on the staff's recommendation if the Commission were to approve the requested rezoning.

Mr. Bernhardt offered additional explanation on the staff's recommendation.

Ms. LeQuire expressed concerns with removing the entire SP zoning if approved, and questioned whether the community was made aware of the affects that an approved recommendation would have on the entire Hickory Woods SP.

Mr. Bernhardt explained the information that was given to the Community at their meeting. He then offered further explanation on the Hickory Woods SP and how this proposal would alter the intended uses originally planned for this area. He also spoke of other areas within this district that could house this type of development.

Mr. Gotto suggested an amendment be made to the approval recommendation that would address the issue of removing the entire Hickory Woods SP.

Mr. Coleman shared that he agreed with the amended condition. He also stated that the community was made aware of the affects an approval would have the SP.

Ms. LeQuire questioned whether the applicant had been asked to revise their plan to better accommodate the intended uses originally planned for this area.

Mr. Johnson explained that staff did work with the applicant on amending the plan.

Mr. Bernhardt explained that the applicant was unable to amend their plan due to operational issues of their facility.

Mr. LeQuire expressed her concern with approving the development and mentioned that patience and planning are what make a great city.

Mr. Clifton moved and Ms. Lequire seconded the motion to disapprove Specific Plan 2009SP-026-001, Stones River Senior Living Community. **(2-4) Yes Votes: LeQuire, Clifton**
No Votes: Gotto, Tyler, Ponder, McLean

This motion failed.

Mr. Gotto moved, and Mr. Ponder seconded the motion, to approve with conditions Specific Plan 2009SP-026-001, Stones River Senior Living Community, with the condition that Planning staff initiate discussions with the district Councilmember to determine the appropriate zoning for the remaining properties in the Hickory Woods SP. **(4-2) Yes Votes: Ponder, McLean, Tyler, Gotto**
No Votes: LeQuire, Clifton

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-026-001 is APPROVED WITH CONDITION that Planning staff initiate discussions with the district Councilmember to determine the appropriate zoning for the remaining properties in the Hickory woods SP. (4-2)

The uses included in the proposed SP-R zoning district are consistent with the Antioch/Priest Lake Community Plan’s Community Center policy.”